

Agreement between the Republic of Kazakhstan and the United States of America regarding the surrender of persons to the International Criminal Court

The Republic of Kazakhstan and the United States of America (hereinafter "the Parties"),

Reaffirming the importance of bringing to justice those who commit genocide, crimes against humanity and war crimes,

Considering that the United States of America has expressed its intention to investigate and to prosecute where appropriate acts within the jurisdiction of the International Criminal Court alleged to have been committed by its officials, employees, military personnel or other nationals,

Have agreed as follows:

1. For the purposes of this Agreement, "persons" of either Party include all nationals and current and former military personnel of that Party.
2. Persons of one Party present in the territory of the other Party shall not, without the written consent of the first Party:
 - (a) be surrendered or transferred by any means to the International Criminal Court for any purpose, or
 - (b) be surrendered or transferred by any means to any other entity or third country, or expelled to a third country, for the purpose of surrender or transfer to the International Criminal Court.
3. When the Republic of Kazakhstan extradites, surrenders or otherwise transfers a person of the United States of America to a third country, the Republic of Kazakhstan will not agree to the surrender or transfer of that person to the International Criminal Court by the third country, without the written consent of the United States of America.
4. When the United States of America extradites, surrenders or otherwise transfers a person of the Republic of Kazakhstan to a third country, the United States of America will not agree to the surrender or transfer of that

person to the International Criminal Court by the third country, without the written consent of the Republic of Kazakhstan.

5. Upon the written mutual consent of the Parties, the present Agreement may be amended.

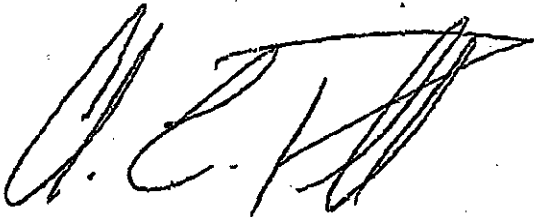
6. Any disputes or disagreements regarding interpretation or application of the provisions of this Agreement shall be resolved by consultation between the Parties and shall not be referred to any third party or international tribunal for settlement.

7. This Agreement shall enter into force upon an exchange of notifications of the fulfillment by the Parties of the domestic legal requirements necessary for its entry into force.

8. This Agreement may be terminated by either Party by means of written notification to that effect. In that case, this Agreement shall terminate one year from the date of such notification. The provisions of this agreement shall continue to apply with respect to any act occurring, or any allegation arising, before the effective date of termination.

9. Done at New York this 22nd day of September, 2003, in duplicate in the English and Russian languages, both texts being equally authentic. A Kazakh language text shall be prepared, which shall be considered equally authentic upon an exchange of diplomatic notes confirming its conformity with the English language text.

FOR THE UNITED STATES OF
AMERICA:



FOR THE REPUBLIC OF
KAZAKHSTAN:

